

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ANDREA L. VAN VORST, KENNETH
MAHNKEN, YVETTE SOTO, and
MARTIN J. WEINER,

Plaintiffs,

v.

LUTHERAN HEALTHCARE d/b/a
LUTHERAN MEDICAL CENTER,

Defendant.

No. 15-cv-1667 (ERK)

**PLAINTIFFS' PROPOSED
VOIR DIRE QUESTIONS**

1. Do you have any significant experiences with or opinions about laws requiring accommodations for people with disabilities?
2. Do you have any significant experiences with or opinions about the Americans with Disabilities Act in particular?
3. Do you think that American Sign Language is a gestured form of English?
4. Do you think that American Sign Language is a real language?
5. Have you ever worked for a hospital?
6. Have you ever worked for a healthcare provider?
7. Do you have medical training?
8. Do you think that deaf people can drive?
9. Were you born in another country? If so, what country and how old were you when you immigrated?
10. Do you have any beliefs about lawsuits and personal responsibility?
11. Do you have any concerns about the awarding of damages for mental anguish?
12. Do you have any concerns about the size of jury verdicts?
13. Do you have any concerns regarding lawsuits?
14. Have you or do you now own a business?

15. Have you managed other people?
16. Have you ever held an executive or officer position at a corporation?
17. Do you have any significant experiences with or opinions about government agencies?
18. What is your highest level of education?
19. What was your favorite subject in school and why?
20. Do you volunteer? If so, where?
21. Do you give to a charitable organization? If so, which one?
22. Do you belong to any civic organizations? Which one(s)? How active are you?

Dated: July 29, 2019

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DESCRIPTION OF THE CASE**

Andrea Van Vorst, Kenneth Mahnken, Martin Weiner, and Yvette Soto are the Plaintiffs in this case. They are profoundly deaf and communicate primarily in American Sign Language with varying abilities to communicate in written and spoken English. American Sign Language or "ASL" is a foreign language comprised of hand motions, facial expressions, eye gazes, and body postures. Although many deaf people in the United States use ASL to communicate, ASL's syntax and grammar are not derived from English. The Plaintiffs bring this action against Defendant Lutheran Healthcare d/b/a Lutheran Medical Center under Title III of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, the New York State Human Rights Law, and the New York City Human Rights Law. Plaintiffs allege, and Defendant disputes, that they were unable to effectively communicate with Defendant's staff regarding their medical care because Defendant failed to provide in-person ASL interpreters and instead relied on lip reading, note writing in English, and malfunctioning video remote interpreting systems or what is known as "VRI." Plaintiffs seek equitable relief, compensatory damages, and punitive damages.

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**PLAINTIFFS' PROPOSED
LIST OF RELEVANT INFORMATION**

Individuals

1. Andrea Van Vorst
2. Kenneth Mahnken
3. Yvette Soto
4. Martin Weiner
5. Yana Akselrud, D.P.M.
6. Elsie Estrellanes, R.N.
7. Cynthia Gonzalez, LCSW
8. Ming Oyl Lee, R.N.
9. Jeffrey Lucido, D.P.M.
10. George Shahin, M.D.
11. Naji Abi Shahin, M.D.
12. Polina Tavrovskaya, M.D.
13. Robert Calciano, M.D.
14. Stephanie Coliccio, R.N.
15. Shlomie Goldberg, P.A.

16. William Mahnken
17. Mario Manna, M.D.
18. Brian Roberts, M.D.
19. Manuel Wilfred, PT
20. William Wirchansky, M.D.
21. Teodorico Alcantara, M.D.
22. Andrew Barba
23. Michael Lacqua, M.D.
24. Bhupendra Wagley, M.D.
25. Yana Akselrud, D.P.M.
26. Fred Alberts
27. Marina Chilingarova
28. Anabella Hilburn
29. Renel Jean-Baptiste
30. Jack Mazzola
31. Diana Murillo, R.N.
32. Nicole Sabella
33. Catherine Sokoloff
34. Virginia Tong

Entities and Locations

1. NYU Langone Hospital — Brooklyn, f/k/a Lutheran Medical Center and NYU Lutheran Medical Center
2. NewYork-Presbyterian Brooklyn Methodist Hospital

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